

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ROCK FERRONE, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	Civil Action No. 05-484
v.	)	
	)	Chief Judge Ambrose
v.	)	Magistrate Judge Caiazza
	)	
DAN ONORATO, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

On August 23, 2006, this case was reassigned to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On December 19, 2006, the magistrate judge issued a Report (Doc. 141) recommending that the Defendants' Motions to Dismiss (Docs. 92, 95, 98, 102, 104, 112 & 132) be granted regarding the Plaintiffs' only remaining federal claim, and otherwise denied as moot.

Service of the Report and Recommendation was made on the parties, and the Plaintiffs filed objections on January 8, 2007. See Doc. 142.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following Order is entered:

AND NOW, on this 19<sup>th</sup> day of Jan., 2007,  
IT IS HEREBY ORDERED that the Defendants' Motions to Dismiss  
(Docs. 92, 95, 98, 102, 104, 112 & 132) are **GRANTED** regarding the  
Plaintiffs' only remaining federal claim of procedural due  
process. Said claim is DISMISSED WITH PREJUDICE, and the Court  
hereby declines to exercise supplemental jurisdiction over the  
state law claims. Those claims are DISMISSED WITHOUT PREJUDICE  
to refiling in state court, and the clerk is directed to mark  
this case closed.

Finally, the Report and Recommendation dated December 19,  
2006 is adopted as the opinion of the District Court.



Donetta W. Ambrose  
Chief United States District Judge

cc:

All Counsel of Record